

of intra-uterine injury during pregnancy, and that the article would prevent fatigue, cerebral deterioration, and improve the appetite in elderly persons.

DISPOSITION: 7-29-60. Consent—claimed by Wm. S. Merrell Co. and relabeled.

6327. Slim-Pac. (F.D.C. No. 43567. S. No. 72-767 P.)

QUANTITY: 43 display-type ctns., each containing 6 boxes, each box containing 14 plastic envelopes of 3 capsules each, at New York, N.Y.

SHIPPED: 7-15-59, from West Roxbury, Boston, Mass., by Rexall Drug Co.

LABEL IN PART: (Ctn.) "Lose Weight New! Rexall Slim-Pac"; (box) "Rexall Slim-Pac Easier Weight Control Effective Appetite Reduction * * * Directions: Chew one piece of Slim-Pac gum 15 to 20 minutes before each meal; take your Slim-Pac multiple vitamin capsule with breakfast. * * * Each Square of Slim-Pac Chewing Gum Contains: Phenyl Propanolamine Hydrochloride 25 mg."; and (plastic envelope) "Rexall Slim-Pac easier weight reduction effective appetite control One day's supply."

ACCOMPANYING LABELING: Leaflets entitled "Why let excess weight shorten your life"; folders reading in part "Now Losing weight is as easy as chewing gum"; booklets entitled "Lose Weight * * * Slim-Pac"; and a banner reading in part "Live Longer—Losing Weight is as easy as chewing gum."

LIBELED: 10-13-59, S. Dist. N.Y.; libel amended 4-28-60.

CHARGE: 502(a)—when shipped and while held for sale, the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for obesity, and was adequate and effective for easy, fast appetite reduction, to make appetite dwindle quickly, to escape the nervous, depressed and washed out feeling common to dieting, to discipline appetite, to leave one just hungry enough to enjoy the amount one should eat, to curb after-meal hunger, to safely reduce appetite and to make one satisfied with less food so dangerous pounds begin to melt away simply by chewing a piece of Slim-Pac gum 15-20 minutes before each meal, to curb the appetite, and to cause weight reduction as easily and as simply as chewing gum.

DISPOSITION: Rexall Drug Co., claimant, filed an answer denying that the article was misbranded. The Government filed written interrogatories and upon claimant's failure to answer them, the Government filed a motion to strike claimant's answer. On 8-23-60, the court granted the motion and entered a decree of condemnation and destruction.

6328. Vitamin and mineral tablets. (F.D.C. No. 43313. S. Nos. 52-092 P, 52-094/5 P.)

QUANTITY: 47 600-tablet btls. and 149 200-tablet btls. of *Nurex mineral phosphate tablets*; 53 480-capsule btls., 148 240-capsule btls., and 124 35-capsule btls. of *shark liver oil*; and 156 250-tablet btls., and 19 80-tablet btls. of *Ray-Ets*, at Minneapolis, Minn., in possession of Pavo Co.

SHIPPED: Between 10-9-58 and 3-18-59, from St. Louis, Mo., Detroit, Mich., and Chicago, Ill.

LABEL IN PART: "Nurex Mineral Phosphates Each Tablet Contains: Homeopathic Rations of 1/1000 gr. of Phosphates of Iron, Calcium, Sodium, Magnesium, and Potassium in a lactose base. Packed & Distributed by The Pavo Co., Inc., Minneapolis, Minn."; "Shark Liver Oil Each Capsule Contains: 25,000 USP Units Vitamin A derived from Shark Liver Oil. Packed by The